



BEST AVAILABLE COPY

Attorney's Docket No.: 11203-002001 / UM 1750

G P 1646

#6/15

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Michael J. Imperiale

Art Unit : 1646

Serial No. : 09/488,867

Examiner : Unassigned

Filed : January 21, 2000

Title : NOVEL REPLICATION DEFICIENT ADENOVIRUS VECTORS
METHODS FOR MAKING AND USING THEM

RECEIVED

JUN 05 2000

TECHNICAL CENTER 1600/2900

Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

UNDER 37 CFR §1.97 and §1.98

Sir:

Enclosed for filing in the above-referenced patent application is a Form PTO-1449, being submitted prior to the first Office Action on the merits. Applicants respectfully request consideration of the remarks and references set forth herein.

The following documents are enclosed herewith:

- copy of Form PTO-1449
- Postcard
- copies of cited references

REMARKS

The references cited on attached form PTO-1449 are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited information be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

May 30, 2000

Date of Deposit

Marian Christopher
Signature

Marian Christopher

Typed or Printed Name of Person Signing Certificate

Applicant : Michael J. Imperiale
Serial No. : 09/488,867
Filed : January 21, 2000
Page : 2

Attorney's Docket No.: 11203-002001 / UM 1750

BEST AVAILABLE COPY

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

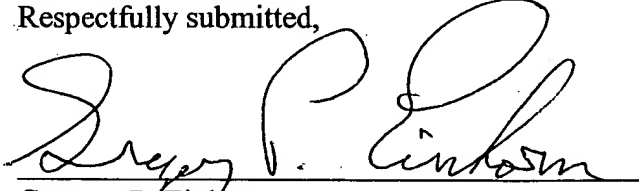
Applicant believes that no fee is required for submission of this statement, since it is being submitted prior to the first Office Action. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 06-1050. If necessary, please deduct any necessary additional fees from, or credit any overpayment to, the above-noted Deposit Account.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned or John Wetherell at 858 678 5070.

Respectfully submitted,

Date:

May 30, 2000


Gregory P. Einhorn
Reg. No. 38,440

Fish & Richardson P.C.
4350 La Jolla Village Drive, Suite 500
San Diego, CA 92122
Telephone: (858) 678-5070
Facsimile: (858) 678-5099

Substitute Form PTO-1449

U.S. Department of Commerce
Patent and Trademark OfficeAttorney's Docket No.
11203-002001Application No.
09/488,867Information Disclosure Statement
by Applicant

(Use several sheets if necessary)

Applicant
Michael J. ImperialeFiling Date
January 21, 2000Group Art Unit
1646

(37 CFR §1.98(b))

U.S. Patent Documents

Examiner Initial	Desig. ID	Patent Number	Issue Date	Patentee	Class	Subclass	Filing Date If Appropriate
	AA	6,001,557	Dec. 14, 1999	Wilson et al.	435	5	
	AC	5,994,134	Nov. 30, 1999	Giroux et al.	435	403	
	AB	5,994,132	Nov. 30, 1999	Chamberlain et al.	435	369	
	AH	5,985,846	Nov. 16, 1999	Kochanek et al.	514	44	
	AG	5,981,225	Nov. 9, 1999	Kochanek et al.	435	69.1	
	AJ	5,922,576	Jul. 13, 1999	He et al.	435	91.41	
	AD	5,919,676	Jul. 6, 1999	Graham et al.	435	172.3	
	AF	5,891,690	Apr. 6, 1999	Massie	435	172.3	
	AE	5,882,877	Mar. 16, 1999	Gregory et al.	435	320.1	
	AK	5,880,102	Mar. 9, 1999	George et al.	514	44	
	AL	5,851,806	Dec. 22, 1998	Kovesdi et al.	435	91.41	

Foreign Patent Documents or Published Foreign Patent Applications

Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No
	AM	EP 0 978 566	Feb. 9, 2000	EPO	C12N	15/86	X	
	AN	EP 0 955 373	Nov. 10, 1999	EPO	C12N	15/86	X	
	AO	WO 99/53085	Oct. 21, 1999	PCT	C12N	15/86	X	
	AP	WO 99/32647	Jul. 1, 1999	PCT	C12N	15/86	X	
	AQ	WO 98/13510	Apr. 2, 1998	PCT	C12N	15/86	X	
	AR	WO 97/32481	Sep. 12, 1997	PCT	A01N	63/00	X	
	AS	WO 96/33280	Oct. 24, 1996	PCT	C12N	15/86	X	

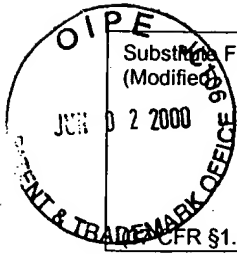
Other Documents (include Author, Title, Date, and Place of Publication)

Examiner Initial	Desig. ID	Document
	AT	Parks et al., "Use of helper-dependent adenoviral vectors of alternative serotypes permits repeat vector administration," <u>Gene Therapy</u> , (1999) 6, 1565-1573.
	AU	Mayr et al., "Development of Replication-Defective Adenovirus Serotype 5 Containing the Capsid and 3C Protease Coding Regions of Foot-and-Mouth Disease Virus as a Vaccine Candidate," <u>Virology</u> 263 (1999) 496-506.

Examiner Signature

Date Considered

EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.


 Substituted Form PTO-1449
 (Modified)

 U.S. Department of Commerce
 Patent and Trademark Office

 Attorney's Docket No.
 11203-002001

 Application No.
 09/488,867

**Information Disclosure Statement
 by Applicant**

(Use several sheets if necessary)

 Applicant
 Michael J. Imperiale

 Filing Date
 January 21, 2000

 Group Art Unit
 1646

37 CFR §1.98(b)

Other Documents (include Author, Title, Date, and Place of Publication)

Examiner Initial	Desig. ID	Document
	AV	Nabel, "Development of optimized vectors for gene therapy," <u>Proc. Natl. Acad. Sci. USA</u> , Vol. 96, (Jan. 1999), pp. 324-326.
	AW	Gustin et al., "Encapsidation of Viral DNA Requires the Adenovirus L1 51/55-Kilodalton Protein," <u>Journal of Virology</u> (Oct. 1998) p. 7860-7870.
	AX	Schmid et al., "Cellular components Interact with Adenovirus Type 5 Minimal DNA Packaging Domains," <u>Journal of Virology</u> (Aug. 1998) p. 6339-6347.
	AY	Alemay et al., "Complementation of helper-dependent adenoviral vectors: size effects and titer fluctuations," <u>Journal of Virological Methods</u> 68, (1997) p. 147-159.
	AZ	Schmid et al., "Bipartite Structure and Functional Independence of Adenovirus Type 5 Packaging Elements," <u>Journal of Virology</u> (May 1997) p. 3375-3384.
	BA	Fechteler et al., "The Mechanism of Adenovirus DNA Integration: Studies in a Cell-Free System," <u>Curr. Top. Microbial. Immunol.</u> (1995) 199 (Pt. 2): 109-137.
	BB	Schmid et al., "Selective Encapsidation of Adenovirus DNA," <u>Curr. Top. Microbial. Immunol.</u> (1995) 199 (Pt. 1): 67-80.
	BC	Grable et al., " <i>cis</i> and <i>trans</i> Requirements for the Selective Packaging of Adenovirus Type 5 DNA," <u>Journal of Virology</u> (Feb. 1992) p. 723-731.
	BC	

Examiner Signature

Date Considered

EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.